

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHOKOFEH TABARAIE, DDS, PLLC,

Plaintiff,

v.

ASPEN AMERICAN INSURANCE
COMPANY,

Defendant.

Civil Action No. 2:20-cv-01035-BJR

**STIPULATED MOTION AND
ORDER**

1 Plaintiff Shokofeh Tabaraie, DDS, PLLC and Defendant Aspen American Insurance
2 Company stipulate that Defendant's deadline to respond to Plaintiff's amended complaint is stayed
3 pending the case management conference scheduled for November 9, 2020.

4 WHEREAS:

5 1. On August 31, 2020, Defendant moved to dismiss Plaintiff's lawsuit for failure to
6 state a claim upon which relief can be granted.

7 2. Plaintiff filed an amended complaint on September 21, 2020.

8 3. Under the Federal Rules of Civil Procedure, Defendant's response to the complaint
9 was originally due October 5, 2020. Pursuant to stipulations entered by the Court, Defendant's
10 response is currently due October 26, 2020.

11 4. The Court has directed the parties to this action and numerous other COVID-19
12 business interruption insurance actions pending in this District to meet and confer as to how all of
13 these actions might be most efficiently managed. The parties are in the midst of that meet and
14 confer process.

15 5. The Court has set a case management conference in these actions for November 9,
16 2020.

17 6. On October 21, 2020, the Court entered orders in three other matters pending
18 against Defendant. In those orders, the Court stayed Defendant's deadlines to respond to those
19 plaintiffs' complaints until after the November 9, 2020 case management conference, at which the
20 Court will issue new deadlines. The three other matters are *Wade K. Marler, DDS v. Aspen*
21 *American Insurance Company*, No. 2:20-cv-00616-BJR; *Karla Aylen, DDS, PLLC v. Aspen*
22 *American Insurance Company*, No. 2:20-cv-00717-BJR; and *Kathryn L. Jagow, DDS v. Aspen*
23 *American Insurance Company*, No. 2:20-cv-01205-BJR.

24 7. In the interest of efficiency, the parties have agreed to the same response date stay in
25 this case that the Court entered in *Marler, Aylen* and *Jagow*.

26 8. This stipulation is made in the interest of justice, not to delay the proceedings, and
27 will not prejudice any party. The parties do not waive any claims or defenses by means of this
28 stipulation.

1 IT IS HEREBY STIPULATED AND AGREED, pending the Court's approval, that
2 Defendant's deadline to respond to Plaintiff's is stayed pending the November 9, 2020 case
3 management conference, at which the Court will issue a new deadline.

4 The parties respectfully request the Court to enter the accompanying Proposed Order
5 granting the relief to which they have stipulated.

6
7 DATED this 23rd day of October, 2020.

8
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17 **Signed with permission.*

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ORDER

The Court has considered Plaintiff Shokofeh Tabaraie DDS PLLC's and Defendant Aspen American Insurance Company's Stipulated Motion and [Proposed] Order. The Court **HEREBY ORDERS** that Defendant's deadline respond to Plaintiff's amended complaint is stayed pending the November 9, 2020 case management conference, at which the Court will issue a new deadline. **IT IS SO ORDERED.**

Dated: October 26, 2020



Honorable Barbara J. Rothstein
UNITED STATES DISTRICT JUDGE